

# **EXHIBIT J**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

IN RE MICROSOFT CORP.  
ANTITRUST LITIGATION.

This Document relates to:

*Burst.com, Inc. v.*  
*Microsoft Corp.,*

Civil Action No JFM-02-cv-2952

MDL Docket No. 1332

Hon. J. Frederick Motz

BURST.COM, INC.'S PROPOSED CONSTRUCTION OF  
CLAIM TERMS TO BE CONSTRUED

Burst.com. Inc. ("Burst") submits its proposed construction of claim terms to be construed. Those claim terms to be construed are identified followed by their proposed construction.

1. Burst reserves the right to modify or supplement its proposed construction of claim terms as discovery proceeds.
2. Burst incorporates the attached list of *Claim Terms to be Construed and Proposed Claim Constructions* herein. These proposed constructions have been compiled from those claims identified by Microsoft Corporation and Burst as needing construction as they

pertain to the patents-in-suit. Legal construction of each term depends upon its particular use in any specific claim.

3. The patents-in-suit and that Burst accuses Microsoft of infringing are U.S. Patent Nos. 4,963,995; 5,164,839 and 5,995,705.

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**Claim Terms to be Construed**

**'995 Patent: Audio/Video Transceiver Apparatus Including Compression Means**

**audio/video transceiver apparatus**

**audio/visual source information**

**input means for receiving audio/visual source information (§ 112 ¶ 6)**

**compression means, coupled to said input means, for compressing said audio/video source information into a time compressed representation thereof having an associated time period that is shorter than a time period associated with a real time representation of said audio/video source information (§ 112, ¶6)**

**a time compressed representation thereof**

**time compressed representation having an associated time period that is shorter than a time period associated with a real time representation of said audio/video source information**

**random access storage means, coupled to said compression means, for storing the time compressed representation of said audio/video information (§ 112, ¶ 6)**

**storing the time compressed representation of said audio/video information**

**output means, coupled to said random access storage means, for receiving the time compressed audio/video source information stored in random access storage means for transmission away from said audio/video transceiver apparatus (§ 112, ¶ 6)**

**editing means, coupled to said random access storage means, for editing the time compressed representation of said audio/video source information stored in said random access storage means and for restoring the edited time compressed representation of said audio/video source information in said random access storage means (§ 112, ¶ 6)**

**editing means, coupled to said random access storage means, for editing said time compressed representation of said audio/video source information and for then storing the edited time compressed representation of said audio/video source information in said random access storage means (§ 112, ¶ 6)**

**editing said time compressed representation of said audio/video source information**

**for restoring the edited time compressed representation of said audio/video source information**

**then storing the edited time compressed representation of said audio/video source information in said random access storage means**

**said output means is operative for receiving the edited time compressed representation of said audio/video source information stored in random access storage means for transmission away from said audio/video transceiver apparatus**

**said output means comprises a fiber optic output port for coupling said audio/video transceiver apparatus to a fiber optic transmission line**

**said output means comprises a modem for coupling said audio/video transceiver apparatus to a telephone line**

**wherein said random access storage means comprises a semiconductor memory**

**analog to digital converter means** for converting said analog audio/video source information to corresponding digital audio/video source information (§ 112, ¶ 6)

**said compression means** is operative for compressing said corresponding digital audio/video source information into a digital time compressed representation thereof having an associated time period that is shorter than a time period associated with a real time representation of said digital audio/video information

**said compression means** is operative for compressing said digital audio/video source information into a digital time compressed representation thereof having an associated time period that is shorter than a time period associated with a real time representation of said digital audio/video information

**said random access storage means** is operative for storing digital time compressed representation of said corresponding digital audio/video source information

**said random access storage means** is operative for storing digital time compressed representation of said digital audio/video source information

**input means** comprises a fiber optic input port coupled to a fiber optic transmission line and said digital audio/video source information comprises information received over said fiber optic transmission line

**input means** for receiving audio/video source information as a time compressed representation thereof, said time compressed representation of said audio/video source information being received over an associated burst time period that is shorter than a real time period associated with said audio/video source information (§ 112, ¶ 6)

**random access storage means**, coupled to said input means, for storing the time compressed representation of said audio/video source information received by said input means (§ 112, ¶ 6)

**output means, coupled to said random access storage means, for receiving the time compressed representation of said audio/video source information stored in said random access storage means for transmission away from said audio/video transceiver apparatus (§ 112, ¶ 6)**

**input means comprises a fiber optic input port**

**said input means is coupled, via a fiber optic transmission line, to a video library, said video library storing a multiplicity of items of audio/video source information in said time compressed representation for selective retrieval, in said associated burst time period over said fiber optic transmission line, by the user**

**decompression means, coupled to said random access storage means, for selectively decompressing the time compressed representation of said audio/video source information stored in said random access storage means (§ 112, ¶ 6)**

**decompression means, coupled to said random access storage means, for selectively decompressing the digital time compressed representation of said corresponding digital audio/video source information stored in said random access storage means (§ 112, ¶ 6)**

**decompression means, coupled to said random access storage means, for selectively decompressing the digital time compressed representation of said digital audio/video source information stored in said random access storage means (§ 112, ¶ 6)**

**selectively decompressing the time compressed representation of said audio/video source information stored in random access storage means**

**selectively decompressing the digital time compressed representation of said corresponding digital audio/video source information stored in random access storage means**

**selectively decompressing the digital time compressed representation of said digital audio/video source information stored in random access storage means**

each of said **audio/video transceivers** comprising

**compression means**, coupled to said **input means**, for **compressing** said **audio/video source information** into a **time compressed representation** thereof having an associated **burst time period** that is shorter than a time period associated with a **real time representation** of said **audio/video information** (§ 112, ¶ 6)

**output means**, coupled to said **random access storage means** and to one of said one or more **communications links**, for receiving the **time compressed format representation** of said **audio/video source information** stored in said **random access storage means** for transmission in said **burst time period** to another one of said plurality of **audio/video transceivers** (§ 112, ¶ 6)

transmission in said **burst time period** to another one of said plurality of **audio/video transceivers**

wherein said **input means** of one of said plurality of **audio/video transceivers** comprises a **fiber optic input port**, said **output means** of another one of said plurality of **audio/video transceivers** comprises a **fiber optic output port**, and one of said one or more **communications links** comprises a **fiber optic transmission line** coupled between said **fiber optic input port** and said **fiber optic output port**

wherein said **output means** of one of said plurality of **audio/video transceivers** comprises a **modem** and one of said one or more **communication links** comprises a **telephone transmission line**

said **random access storage means** of one of said plurality of **audio/video transceivers** stores a library comprising a multiplicity of items of **audio/video source information** in said **time compressed representation** for selective transmission in said associated **burst time period** to another one of said **audio/video transceivers**



**recording means, including a removable recording medium coupled to said random access storage means, for storing the time compressed representation of said audio/video source information stored in said random access storage means onto said removable recording medium (§ 112, ¶ 6)**

**CD-ROM means for providing said digital audio/video source information**

**'839 Patent: Method for Handling Audio/Video Information**

**audio/video source information**

**a time compressed representation thereof**

**having an associated burst time period that is shorter than a time period associated with a real time representation of the received audio/video source information**

**having an associated burst time period that is shorter than a time period associated with a real time representation of the received digital audio/video source information**

**said time compressed representation of said audio/video source information being received over an associated burst time period that is shorter than a real time period associated with real time playback of said audio/video source information**

**having an associated burst time period that is shorter than a time period associated with a real time representation of said received audio/video source information**

**transmitting, in burst time period**

**a selected destination**

**editing the stored time compressed representation of said audio/video source information**

**storing the edited time compressed representation of said audio/video source information**

**transmitting said time compressed representation of said audio/video source information over an optical channel**

**transmitting said time compressed representation of said audio/video source information over a telephone transmission channel**

**information received over a fiber optic transmission line**

**information received over an optical channel from a video library**

**information received over a communication link from a video library**

**A video library storing a multiplicity of programs of audio/video source information as time compressed representations thereof for selective retrieval by a user in an associated burst time period**

**selectively decompressing the stored time compressed representation of said audio/video source information**

**selectively decompressing the stored digital time compressed representation of said corresponding digital audio/video source information**

**selectively decompressing the stored digital time compressed representation of said digital audio/video source information**

**audio/video transceivers**

**coupled via one or more communication links**

**transmitting, in said burst time period, the stored time compressed representation of the received audio/video source information to one or more of said plurality of audio/video transceivers**

**said audio/video source information is received over one or more optical transmission channels and the stored time compressed representation of the received audio/video source information is transmitted over one or more optical transmission channels**

**transmitted over one or more telephone transmission channels**

**wherein the step of storing comprises storing the time compressed representation of said audio/video source information in a semiconductor memory**

**wherein the time compressed representation of the received audio/video source information is stored in a semiconductor memory**

**one of said plurality of audio/video transceivers stores a library containing a multiplicity of programs of audio/video source information as time compressed representation thereof for selective transmission, in an associated burst time period, to one or more of the remaining plurality of audio/video transceivers**

**further comprising the steps of recording the stored time compressed representation of said audio/video source information onto a removable recording medium**

**'705 Patent: Burst Transmission Apparatus and Method for Audio/Video Information**

**input means for receiving audio/video source information (§ 112, ¶ 6)**

**audio/video source information**

**a multiplicity of video frames collectively representing at least one full motion video program**

**a multiplicity of video frames collectively constituting at least one full motion video program**

**a multiplicity of video frames collectively constituting at least one full motion video program**

**a digital time compressed representation thereof**

**compression means, coupled to said input means, for compressing said audio/video source information into a digital time compressed representation thereof (§ 112, ¶ 6)**

**said digital time compressed representation of said audio/video source information is capable of being transmitted in a burst time period that is substantially shorter than a time period associated with real time viewing by a receiver of said audio/video source information**

**the digital time compressed representation of said audio/video source information having an associated burst transmission time period that is substantially shorter than a time period associated with real time viewing by a receiver of said audio/video source information**

**substantially shorter than a time period associated with real time viewing by a receiver of said audio/video source information**

**storage means, coupled to said compression means, for storing said digital time compressed representation of said audio/video source information (§ 112, ¶ 6)**

**storing said digital time compressed representation of said audio/video source information**

**transmission means, coupled to said storage means, for transmitting said digital time compressed representation of said audio/video source information away from said audio/video transceiver apparatus in said burst transmission time period (§ 112, ¶ 6)**

**transmitting said digital time compressed representation of said audio/video source information away from said audio/video transceiver apparatus in said burst transmission time period**

**transmitting, in said burst transmission time period, the stored digital time compressed representation away from said audio/video transceiver apparatus in said burst transmission time period**

**transmit the edited digital time compressed representation of said audio/video source information away from said audio/video transceiver apparatus in said burst transmission time period**

**the step of transmitting the stored digital time compressed video information further comprises sending said time compressed data to one of a plurality of audio/video transceivers connected over at least one communications link**

**editing means, coupled to said storage means, for editing the digital time compressed representation of said audio/video source information stored in said storage means and for storing the edited digital time compressed representation of said audio/video source information in said storage means (§ 112, ¶ 6)**

**editing the stored time compressed representation of said audio/video source information**

**storing the edited digital time compressed representation of said audio/video source information in said storage means**

**editing means, coupled to said storage means, for editing the digital time compressed representation of said audio/video source information stored in said storage means and for storing the edited digital time compressed representation of said audio/video source information in said storage means (§ 112, ¶ 6)**

**editing the digital time compressed representation of said audio/video source information stored in said storage means**

**storing the edited digital time compressed representation of said audio/video source information in said storage means**

**a plurality of audio/video transceiver coupled via at least one communication link**

**said input means of at least one of said plurality of audio/video transceivers includes a fiber optic input port**

**said transmission means of at least one other of said plurality of audio/video transceiver includes a fiber optic output port**

**said at least one communication link includes a fiber optic transmission line coupling in communication said fiber optic input port with said fiber optic output port**

**said at least one communications link comprises an optical channel**

**said transmission means of at least one of said plurality of audio/video transceivers includes a modem, and said at least one communication link includes a telephone transmission line**

said at least one **communications link** comprises a **telephone transmission channel**

said at least one video program being received by a receiver in a **burst transmission time period** that is substantially shorter than a time period associated with **real time viewing** by a receiver of said at least one video program

providing a **network** that includes a plurality of **audio/video transceivers**, coupled via at least one **communications link**, said **selected destination** comprising at least one of said plurality of **audio/video transceivers**

**Proposed Claim Constructions**

**audio/video transceiver apparatus**

a device configured to transmit and receive audio and or video information

**audio/visual source information**

audio and or video input content

**input means**

a device configured to receive

**compression means**

a device configured to reduce

**compressing**

reducing

**a time compressed representation**

an information structure that reduces a temporal quality of the information

**real time representation**

an information structure that is consistent with a temporal quality of the external, physical world

**a time compressed representation having an associated time period that is shorter than a time period associated with a real time representation**

an information structure that reduces a temporal quality, the information structure having an associated time period that is shorter than a time period associated with an information structure that is consistent with a temporal quality of the external, physical world

**random access storage means**

a storage device configured for random access



**storing**

retaining for subsequent retrieval

**output means**

a device configured to transmit

**stored**

retained for subsequent retrieval

**editing means**

a device configured to revise

**editing**

revising

**edited**

revised

**fiber optic output port**

a device configured to transmit via optical fibers

**modem**

modulator-demodulator

**semiconductor memory**

a memory device made from semiconductor materials

**analog to digital converter means**

a device configured to transform a continuously varying signal to discrete values

**fiber optic input port**

a device configured to receive via optical fibers

**burst time period**

a period of time that is shorter than a time period associated with the timing of events in the external, physical world

**real time period**

a period of time that is consistent with the timing of events in the external, physical world

**video library**

a collection of video programs

**decompression means**

a device configured to enlarge

**decompress**

enlarging

**communications links**

connections allowing transfer

**recording means**

a device configured to reproduce

**removable recording media**

retention media capable of being removed

**CD-ROM means**

Compact-Disc Read Only Memory Device

**real time playback**

playing back of recorded information at a rate consistent with the timing of events in the external, physical world

**a selected destination**

a selected location or device

**optical channel**

a light based communications medium

**telephone transmission channel**

a telephone line based communications medium

**recording**

reproducing

**a multiplicity of video frames collectively representing at least one full motion video program**

a multiplicity of video and or audio frames collectively representing a continuous arrangement of a multiplicity of audio and or video information for performance, storage, broadcast and or transmission

**a multiplicity of video frames collectively constituting at least one full motion video program**

a multiplicity of video and or audio frames collectively constituting a continuous arrangement of a multiplicity of audio and or video information for performance, storage, broadcast and or transmission

**real time viewing**

perceiving events consistent with their timing in the external physical, world

**burst transmission time period**

a period of time, during which transmission is occurring, that is shorter than the timing of events in the external, physical world

**storage means**

device configured to store

**transmission means**

device configured to output

**transmitting**

outputting

**transmit**

to output

**group**

an interconnected group